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7	Attorneys for SEQUOIA INSURANCE COMPANY		
8	in its capacity as liability insurer for DEFENDANT THE ESTATE OF JOSEPH AGGIO, deceased		
9	UNITED STATES DISTRICT COURT		
10	NORTHERN DISTRICT OF CALIFORNIA		
11			
12	   VALENTI AGGIO, DOROTHY L. AGGIO	No. C 04 4357	
13	and LIVIO J. AGGIO,	SEQUOIA INSURANCE COMPANY IN	
14	Plaintiffs,	ITS CAPACITY AS LIABILITY INSURER FOR DEFENDANT THE ESTATE OF	
15	v.	JOSEPH AGGIO'S NOTICE OF MOTION AND MOTION TO REVISE THE PRE-	
16	ESTATE OF JOSEPH AGGIO, deceased,	TRIAL SCHEDULE	
17	Defendant.	Action Filed: October 14, 2004	
18		Trial Date: June 5, 2006	
19	TO PLAINTIFFS AND THEIR ATTORNEYS OF RECORD:		
20	This is a Motion for Administrative Relief under Local Rule 7-11. SEQUOIA		
21	INSURANCE COMPANY ("Sequoia) in its capacity as liability insurer for DEFENDANT THE		
22	ESTATE OF JOSEPH AGGIO, deceased, will and hereby does move the Court to make an order		
23	revising the pretrial schedule, originally set out in the Case Management and Pre-trial Order dated		
24	September 7, 2005, to the following revised dates:		
25	Disclosure of Experts (retained and non-retained): January 13, 2006		
26	Non-expert discovery cut off:	January 31, 2006	
27	Expert rebuttal reports: Februs	ary 3, 2006	
28	Expert discovery cut off: February 24, 2006		
		Notice of Motion & Motion For Leave to Revise	

the Pre-Trial Schedule (Case No. C 04 4357)

## Dispositive Motions: April 7, 2006 1 2 Pretrial Conference: May 18, 2006 (This date is not changed.) 3 This motion is made on the following grounds: 1. More time is required to complete fact discovery as some of the witnesses are located out 4 5 of state: 2. Third Party Defendants have only just been served in the middle of October and have not 6 yet appeared; 7 3. The additional time required for expert and non-expert discovery does not alter the trial 8 9 date; 4. The extent of off-site clean up required and the attendant costs are not yet determined 10 hence and the experts will need more time to address these issues; and 11 12 5. The parties have met and conferred on the attached schedule and are in agreement with the revised deadlines set out therein. 13 14 This motion is based upon this Notice of Motion and Motion and the accompanying [Proposed] Order and Stipulation. 15 16 Dated: November 8, 2005 17 ARCHER NORRIS 18 19 Madsen 20 ornevs for SEQUOIA INSURANCE COMPANY IN ITS CAPACITY AS 21 LIABILITY INSURER FOR DEFENDANT THE ESTATE OF JOSEPH AGGIO 22 SE1164/450957-1 23 24 25 26 27

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	А		
1	Rand L. Chritton (Bar No. 099191) John L. Kortum (Bar No. 148573)		
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6	Attorneys for		
7 8	SEQUOIA INSURANCE COMPANY in its capacity as liability insurer for DEFENDANT THE ESTATE OF JOSEPH A	AGGIO, deceased	
9			
10	NORTHERN DISTRICT OF CALIFORNIA		
11			
12	VALENTI AGGIO, DOROTHY L. AGGIO and LIVIO J. AGGIO,	No. C 04 4357	
13	Plaintiffs,	DENYING [PROPOSED] ORDER and STIPULATION REGARDING PRE-TRIAL SCHEDULE	
14	v.	Action Filed: October 14, 2004	
15	ESTATE OF JOSEPH AGGIO, deceased,	Trial Date: June 5, 2006	
16	Defendant.		
17 18			
19	Plaintiffs Valenti Aggio, Dorothy L. Aggio and Livio J. Aggio and SEQUOIA  INSURANCE COMPANY in its capacity as liability insurer for DEFENDANT THE ESTATE  OF JOSEPH AGGIO, deceased ("Sequoia") have met and conferred on the pre-trial schedule set out in the Case Management and Pre-trial Order dated September 7, 2005 and hereby stipulate to the following revised dates, subject to the court's approval:  Disclosure of Experts (retained and non-retained): January 13, 2006		
20			
21			
22			
23			
24			
Non-expert discovery cut off: January 31, 2006			
26	Expert rebuttal reports: February 3, 2006		
27	Expert discovery cut off: February 24, 2006		
28	···		
		STIPULATION RE: PRE-TRIAL SCHEDULE (C 04 4357)	

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1	Dispositive Motions to be Heard By: April 12, 2006		
ż	This stipulation does not propose changes to the current dates for the Pretrial Conference		
3	and trial.		
4			
5	DATED: November 7, 2005 FARELLA BRAUN & MARTEL LLP		
6	1 - 1.1		
7	By: Louise Wharven for Dennis M. Cusack		
8	Attorneys for Plaintiffs		
9	VALENTI AGGIO, DOROTHY L. AGGIO and LIVIO J. AGGIO		
10			
11			
12	DATED: November $\frac{\mathcal{O}}{\mathcal{O}}$ , 2005 ARCHER NORRIS		
13			
14	By: //		
15	Raydi L./Chritton Attorneys for Defendant,		
16	SEQUOIA INSURANCE COMPANY, ON		
17	BEHALF OF THE ESTATE OF JOSEPH AGGIO		
18			
19	PURSUANT TO STIPULATION IT IS <del>SO ORDERED</del> :  DENIED		
20			
21	DATED this 9th day of November, 2005.		
22			
23			
24	HONORABLE PHYLLIS J. HAMILTON		
25	THE COURT HEARS DISPOSITIVE MOTIONS 120 DAYS BEFORE TRIAL.		
26			
27			
28			
	STIPULATION RE: PRE-TRIAL SCHEDULE (C 04 4357)		

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